

## PATENT

**REMARKS**

In the Office Action, claims 11 and 33 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 5,964,788 to Greenhut.

In the Office Action, claims 12-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the Office Action, claims 1-10 and 22-32 are allowed.

In response thereto, claim 11 has been cancelled and claims 12 and 33 have been amended. Accordingly, claims 1-10 and 12-33 are now pending. Following is a discussion of the patentability of each of the pending claims.

**Independent Claim 1 and Dependent Claims 2-10**

Claims 1-10 are allowed over the prior art of record.

**Independent Claim 12**

In the Office Action, claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 12 has been rewritten in independent form including all of the limitations of base claim 11. It is respectfully submitted that amended claim 12 is in condition for allowance.

**Dependent Claims 13-21**

Claims 13-21 depend from claim 12 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

**Independent Claim 22 and Dependent Claims 23-32**

Claims 22-32 are allowed over the prior art of record.

## PATENT

Independent Claim 33

Claim 33 recites a method of pacing a heart of a pediatric patient. The method comprises setting a pacing rate based on the age of the pediatric patient. On at least one subsequent occasion, the pacing rate is automatically adjusted based on an updated age of the pediatric patient so that the pediatric patient has a heart rate that varies to correspond with age-based variations in an intrinsic heart rate of a normal child.

For at least the same reasons for allowing claim 22 over the Greenhut reference, it is respectfully submitted that claim 33 is in condition for allowance.

CONCLUSION

In light of the above claim amendments and remarks, it is respectfully submitted that the application is in condition for allowance, and an early notice of allowance is requested.

Respectfully submitted,

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Date

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